

15-924.

(b) (1) When soliciting the sale of a health insurance policy to an individual eligible for Medicare, a carrier or [agent] INSURANCE PRODUCER shall ask the individual whether the individual:

(i) is already covered by an existing Medicare supplement policy; and

(ii) is entitled to Medicaid benefits.

(2) The carrier or [agent] INSURANCE PRODUCER shall obtain a written statement from the individual that verifies the individual's information provided under paragraph (1) of this subsection.

(c) When soliciting or advertising the sale of a health insurance policy to an individual eligible for Medicare, a carrier or [agent] INSURANCE PRODUCER may not:

(1) represent or imply that the carrier or [agent] INSURANCE PRODUCER represents, works for, or is compensated by a federal, State, or local government agency;

(2) falsely represent or imply that the carrier or [agent] INSURANCE PRODUCER is offering insurance to supplement Medicare that is approved or recommended by a federal, State, or local government agency;

(3) use terms such as "Medicare consultant", "Medicare advisor", "Medicare bureau", or "disability insurance consultant" when describing the carrier or [agent] INSURANCE PRODUCER in a letter, envelope, reply card, or any other writing or advertisement or in any oral representation; or

(4) knowingly make a misrepresentation or incomplete or fraudulent comparison by commission or omission of a policy or carrier to induce or attempt to induce the individual to:

(i) purchase, amend, lapse, surrender, forfeit, change, duplicate, or not renew coverage already in force;

(ii) replace a policy that is only technically at variance with the policy being offered by the carrier or [agent] INSURANCE PRODUCER; or

(iii) take out a policy with another carrier.

15-925.

(a) When soliciting the sale of a health insurance policy, a carrier or [agent] INSURANCE PRODUCER may not knowingly offer a Medicare supplement policy to an individual not eligible for Medicare.

(b) A carrier or [agent] INSURANCE PRODUCER may not negligently or knowingly sell or offer to sell a Medicare supplement policy to an individual eligible for Medicaid benefits.